

Notice of Allowability

Application No.
09/414,547

Applicant(s)
TOMITA

Examiner
Akers, Geoffrey

Art Unit
3624



--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course.

THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/13/02.
2. ☒ The allowed claim(s) is/are 1-9, 11, 13-16, 19-23, and 26-49.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- *Certified copies not received: _____.
5. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 8. ☒ CORRECTED DRAWINGS must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☒ to Paper No. 1.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.
9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449), Paper No(s). <u>10</u> | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 9 <input type="checkbox"/> Other | |

DR. GEOFFREY R. AKERS, P.E.
PRIMARY EXAMINER

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1) ☐ hereto or 2) ☒ to Paper No. 1.

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3 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

5 ☒ Information Disclosure Statement(s) (PTO-1449), Paper No(s). 10

7 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

9 ☐ Other

2 ☐ Notice of Informal Patent Application (PTO-152)

4 ☐ Interview Summary (PTO-413), Paper No. _____

6 ☐ Examiner's Amendment/Comment

8 ☒ Examiner's Statement of Reasons for Allowance

GEOFFREY R. AKERS, P.E.
PRIMARY EXAMINER

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DETAILED ACTION

Response to Request for Continued Examination

1. This action is responsive to applicant's Request for Continued Examination(RCE)(Paper #9) filed 11/13/02.
2. Applicant submitted a Request for Acknowledgement of Claim for Priority, and an additional IDS(Paper #10).

Information Disclosure Statement

3. The information disclosure statement submitted on 11/13/02 was filed after the mailing date of the allowance on 3/14/01. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the petition is granted and the information disclosure statement was considered by the examiner.

Claim for Priority Under 35 USC 119

4. Acknowledgement is made of a claim for foreign priority under 35 USC 119(a)-(d). All of the priority documents have been received in the application 08/187543 for Japanese Patent Application 5-82905 to which foreign priority is claimed to April 9, 1993 for the instant allowance.

Allowable Subject Matter

5. Claims 1-9, 11,13-16,19-23,26-49 as amended and renumbered by amendment are allowed. The following is a statement of reasons for allowance: The instant invention relates to a novel system for service point management which employs a computer for managing the

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points(credits) issued to each customer who receives service based upon his point-standing. An issue unit issues these points to the customer according to the transactions performed by the customer. An accumulation unit calculates and totals the issued points. A notification unit advises the customer of point information. An identification unit identifies the customer according to data entered through a store terminal. The point notification unit advises the identified customer of the his cumulative point information before the customer carries out subsequent transactions. The key elements which are specified in the independent claims 1,40,42-49 as renumbered by amendment that differentiate the invention over prior art are:

(A) applicant's concept utilizes an apparatus to perform point issue means utilizing rate management methods for changing a point calculation rate determined by predetermined transactions conditions. The apparatus utilizes means for accumulating points, rate management means, as well as a notification apparatus for advising a customer of point information as primary data through a customer terminal as soon as the customer terminal is turned on.

(B) applicant's concept provides a system that is capable of issuing and accumulating points with a seller's computer even if customers have no recording media or member cards as well as notifying customers of points whenever they are requested. Additionally, the system provides service information according to a customer's cumulative points to promote sales. Finally, the system provides a capability to handle individuals and groups as well as mail order sales.

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The present invention then provides a means for point-based marketing and sales generation to loyal clientele. The present invention in addition to issuing service points but promulgates sales promotion without inconveniencing shoppers. The closest prior art, Schultz(US Pat. No: 5,056,019) teaches an automated purchase reward accounting system and Ikeda(US Pat. No: 5,937,391) teaches a point-service system in online shopping mall. It is clear from the description of Schultz's and Ikeda's inventions that the prior art does not include the features of "a point management system employing a computer for managing points issued to each customer which receives service according to the issued points comprising wherein the point issue means comprises rate management means for changing a point calculation rate determined by predetermined transaction conditions in correspondence with each of the transactions according to each of the transactions" as described in the independent claims 1,40,42-49 as renumbered by amendment. All other claims are allowable as dependent from the independent claims as addressed herein. The cited prior art does not disclose limitations in the context of the claims as stated in the independent claims 1,40,42-49 as amended.

Prior art does not disclose this invention as described. This art of record includes:

- Schultz(US Pat. 5,056,019) discloses an automated purchase reward accounting system
- Ikeda(US Pat. No: 5,937,391)discloses a service system in online shopping malls

Foreign Patent: O 256 881 Thompson,R" Method for Creating an Automated database"-8/87

NPL:St. Louis Post Dispatch" You Can Lose a Chunk of Your Return to Taxes" Gallagher,J 12/99

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Comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any comments regarding this communication should be directed to the primary examiner, Dr. Geoffrey Akers, P.E. who can be reached at (703)-306-5844 between the hours of 6:30 AM and 5:00 PM Monday through Friday. If attempts to contact the primary examiner are unsuccessful, the primary examiner's supervisor, Mr. Vincent Millin, may be telephoned at (703)-308-1065.

GRA

May 15, 2003

**DR. GEOFFREY R. AKERS, P.E.
PRIMARY EXAMINER**